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07/23/01

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 400742000200

First Inventor Spencer B FARR

Title CANINE TOXICITY GENES

Express Mail Label No. EL569237795US

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EL569237795US

Date of Deposit: July 23, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Terri Shieh-Newton

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. <input checked="" type="checkbox"/> Fee Transmittal Form plus copy for fee processing (e.g. PTO/SB/17) (2 pgs) <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
3. <input checked="" type="checkbox"/> Specification [Total Pages 139]	a. <input type="checkbox"/> Computer Readable Form (CRF)
- Descriptive title of the Invention	b. Specification Sequence Listing on:
- Cross Reference to Related Applications	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or
- Statement Regarding Fed sponsored R & D	ii. <input type="checkbox"/> paper
- Reference to sequence listing, a table, or a computer program listing appendix	c. <input type="checkbox"/> Statements verifying identify of above copies
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings (if filed)	
- Detailed Description	
- Claim(s)	
- Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113 [Total Sheets 20])	
5. Oath or Declaration [Total Pages 2]	
a. <input type="checkbox"/> Newly executed (original or copy)	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(where there is an assignee)</i> <input type="checkbox"/> Power of Attorney
i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)	11. <input type="checkbox"/> English Translation document (if applicable)
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 (3 pages)	12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:	13. <input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>Should be specifically itemized</i>
Prior application information	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
Examiner *	16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.
	17. <input checked="" type="checkbox"/> Other 1. Petition Under 37 C.F.R. § 1.84(b) to Accept Photographic Drawings (2 pages)

**ACCOMPANYING APPLICATION PARTS**

9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(where there is an assignee)</i>	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation document (if applicable)	
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>Should be specifically itemized</i>	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.	
17. <input checked="" type="checkbox"/> Other 1. Petition Under 37 C.F.R. § 1.84(b) to Accept Photographic Drawings (2 pages)	

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Labelor  Correspondence address below

25226

PATENT TRADEMARK OFFICE

(insert Customer No. or Attach bar code label here)

Name	Morrison & Foerster LLP				
Address	755 Page Mill Road				
City	Palo Alto	State	California	Zip Code	94304-1018
Country	USA	Telephone	(650) 813-5600	Fax	(650) 494-0792
Name (Print/Type)	Terri Shieh-Newton		Registration No. (Attorney/Agent)	47,081	
Signature			Date July 23, 2001		

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07/23/01  
U.S. PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	To Be Assigned
Filing Date	July 23, 2001
First Named Inventor	Spencer B. FARR
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned

## TOTAL AMOUNT OF PAYMENT

(\$130.00)

Attorney Docket No. 400742000200

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	03-1952
Deposit Account Name	Morrison & Foerster LLP

Charge Any Additional Fee or credit any overpayment to above deposit account number Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed: Check  Credit Card  Money Order  Other

## FEE CALCULATION (continued)

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	0.00
106	320	206	160	Design filing fee	0.00
107	490	207	245	Plant filing fee	0.00
108	710	208	355	Reissue filing fee	0.00
114	150	214	75	Provisional filing fee	0.00

SUBTOTAL (1) (\$0.00)

## 2. EXTRA CLAIM FEES

Total Claims	40- 20 =	20	Extra Claims	Fee from below	Fee Paid
Independent Claims	10-3 =	7	x	\$9.00	= \$0.00
Multiple Dependent			x	\$40.00	= \$0.00

\$0.00 = \$0.00

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$130.00)

\*\* or number previously paid, if greater; For reissues, see above.

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Terri Shieh-Newton	Registration No. (Attorney/Agent)	47,081	Telephone	(650) 813-5649
Signature				Date	July 23, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

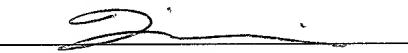
PATENT  
Docket No. 400742000200

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Terri Shieh-Newton

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Spencer B. FARR et al.

Examiner: To Be Assigned

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filing Date: Herewith

For: CANINE TOXICITY GENES

**PETITION UNDER 37 C.F.R. § 1.84(b)  
TO ACCEPT PHOTOGRAPHIC DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant requests that Figure(s) 1, 3, 4, and 5, all in color, be accepted. Applicants have submitted color figures in triplicate with one black & white figure as required by C.F.R. 1.84(b). The required fee of \$130.00 is submitted herewith.

The Assistant Commissioner is hereby authorized to charge any fees under

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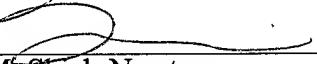
37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment to

**Deposit Account No. 03-1952.**

Respectfully submitted,

Dated: July 23, 2001

By:

  
Terri M. Shieh-Newton  
Registration No. 47,081

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